

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHAWN SHEMACK

-V-

ORDER OF DISMISSAL
FOR LACK OF ACTIVITY,
ADOPTING REPORT & RECOMMENDATION

CV 05-6122 (JS) (MLO)

JOHN & JANE DOE, ET AL.
(and cross-claims)
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APPEARANCES:

For Plaintiff(s):

Shawn Shemack, *Pro Se*
69 Swezey La.
Middle Island NY 11953

For Defendant(s):

Edward Kim, Esq.
Frank Catelli, Esq.
Furey Furey Leverage Manzione Williams & Darlington
600 Front St.
Hempstead NY 11550

Liora Ben-Sorek, Esq.
Nassau Co. Attorney's Office
1 West St.
Mineola NY 11501

SEYBERT, DISTRICT JUDGE:

The above-captioned case was filed on Dec. 15, 2005. Mag. Judge Michael L. Orenstein has been overseeing the pretrial phase.

The plaintiff failed to appear at two conferences, and he possibly failed to advise the Court of his latest address. As a consequence, Judge Orenstein issued a Report & Recommendation on Jan. 21, 2009 (docket entry [66]) that the case be dismissed for lack of prosecution. As the plaintiff has not objected to the Report & Recommendation, it is adopted.

IT IS HEREBY ORDERED that this case be dismissed without prejudice for lack of prosecution, pursuant to Rule 41(b), Federal Rules of Civil Procedure. The Clerk of Court is directed to mark the case closed.

SO ORDERED.

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JOANNA SEYBERT
JOANNA SEYBERT, U.S. DISTRICT JUDGE

Dated: Central Islip, New York

Mar. 18, 2009